

SAN LUIS OBISPO PLANNING DEPARTMENT HEARINGS
MINUTES OF THE MEETING OF

July 15, 2005

Minutes of the Regular Meeting of the County Planning Department Hearings held in the San Luis Obispo County Planning and Building Department Conference Room, County Government Center, San Luis Obispo, California, at 9:00 a.m.

The meeting is called to order at 9:00 a.m. by Kim Murry, Hearing Officer.

The following action minutes are listed as they were acted upon by the Hearing Officer of the Planning Department Hearings and as listed on the agenda for the Regular Meeting of July 15, 2005, together with the maps and staff reports attached thereto and incorporated therein by reference.

PUBLIC COMMENT PERIOD:

None

CONSENT AGENDA:

None

NON-HEARING ITEMS:

1. This being the time set for hearing to consider a request by **SAN LUIS OBISPO COUNTY SUPERINTENDENT OF SCHOOLS** for a Minor Use Permit/Coastal Development Permit to allow for the removal of an existing 1,053 square foot temporary building and the construction of a new 4,245 square foot administration building and a new parking lot with 45 spaces, resulting in a disturbance of 24,000 square feet in the Public Facility land use category. The project is located on the north side of the intersection of Education Drive and Highway 1 approximately 3 miles northwest of the City of San Luis Obispo, in the Estero planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the project pursuant to Public Resources Code Section 21000 et seq. Mitigation measures are proposed to address aesthetics, biological resources, and geology. **County File No: D010323P**. APN: 073-211-004. Supervisorial District: 2. Date application accepted: August 1, 2003. Kerry Brown, Project Manager.

MINUTES:

Hearing Officer: Kim Murry

Others: David Keil, owner's representative; Jeremy Freund, agent for applicant.

Thereafter, on motion of the hearing officer, the Negative Declaration is adopted, in compliance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq., and the Minor Use Permit/Coastal Development Permit is granted based on Findings A through O in Exhibit A, and subject to Conditions 1 through 34 in Exhibit B. (Document No. 2005-106)

2. This being the time set for hearing to consider a request by **GREG AND MARY LUGO** for a Minor Use Permit/Coastal Development Permit to allow a new 1,107 square foot garage/workshop on a site with an existing 1,594 square foot residence with a 702 square foot attached garage. The project will result in the disturbance of approximately 1,107 square feet in the Residential Single Family land use category. The project is located on the west side of Cottontail Lane at 2675 Cottontail Lane, in the community of Los Osos, in the Estero planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the project pursuant to Public Resources Code Section 21000 et seq. Mitigation measures are proposed to address biological resources. **County File No: DRC2003-00098**. APN: 074-326-047. Supervisorial District: 2. Date application accepted: April 15, 2005. Kerry Brown, Project Manager.

MINUTES:

Hearing Officer: Kim Murry

Thereafter, on motion of the hearing officer, the Negative Declaration is adopted, in compliance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq., and the Minor Use Permit/Coastal Development Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 12 in Exhibit B. (Document No. 2005-107)

3. This being the time set for hearing to consider a request by **PATRICIA BECKSTROM** for a Minor Use Permit/Coastal Development Permit to allow the construction of an addition to a single family residence and a new detached garage resulting in 2,264 square feet of footprint and 2,264 square feet of gross structural area. The project will result in the disturbance of approximately 4,000 square feet of a 7,078 square foot parcel within the Residential Single Family land use category. The project is located at 2320 Malvern Avenue, Lodge Hill, in the community of Cambria in the North Coast planning area. This project is exempt under CEQA. **County File No: DRC2004-00150.** APN: 023-383-053 and -054. Supervisorial District: 2. Date Accepted: June 15, 2005. Martha Neder, Project Manager

MINUTES:

Hearing Officer: Kim Murry

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through M in Exhibit A and subject to Conditions 1 through 30 in Exhibit B. (Document No. 2005-108)

4. This being the time set for hearing to consider a request by **TERRY AND PAM CARTER** for a Minor Use Permit/Coastal Development Permit to allow a conversion of the existing residence to a single-family dwelling (removal of the interior partition wall that was illegally constructed to create a duplex in the existing single-family dwelling); demolition of the existing detached garage to the east of the single-family residence (including removal of the illegal unit); and the construction of a new single-family dwelling adjacent to the existing residence. The project will result in the disturbance of approximately 2,500 square feet of a 6,000 square foot parcel within the Residential-Multi Family land use category. The project is located at 333 Juanita Avenue in the community of Oceano in the San Luis Bay planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the project pursuant to the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures are proposed to address geology and cultural resources. **County File Number: D030144P.** APN: 061-021-023. Date Accepted: December 13, 2004. Supervisorial District: 4. Murry Wilson, Project Manager.

MINUTES:

Hearing Officer: Kim Murry

Thereafter, on motion of the hearing officer, the Negative Declaration is adopted, in compliance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq., and the Minor Use Permit/Coastal Development Permit is granted based on Findings A through H in Exhibit A and subject to Conditions 1 through 21 in Exhibit B. (Document No. 2005-109)

5. This being the time set for hearing to consider request by **PETER BULTMAN** for a Minor Use Permit to allow a 6,258 square-foot industrial building for a woodshop with office and caretaker's unit. The project includes a modification of parking standards to allow five, instead of the required seven, parking spaces. The project will result in the disturbance of approximately 10,000 square feet of a

10,000 square foot parcel within the Commercial Service land use category. The project is located on the north side of Nipomo Street, 200 feet south of Cienaga St. (Highway 1) in the community of Oceano in the San Luis Bay (Inland) planning area. This project is exempt under CEQA. **COUNTY FILE NO. DRC2003-00157.** APN: 062-117-015. Supervisorial District #3. Date Application Accepted: December 14, 2004. Brian Pedrotti, Project Manager.

MINUTES:

Hearing: Kim Murry

Others: Peter Bultman, applicant.

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 15 in Exhibit B. (Document No. 2005-110)

6. This being the time set for hearing to consider a request by **ROBERT AND ELAINE COOPER** for a Minor Use Permit to allow for an equestrian facility and farm support quarters. The equestrian facility will utilize an existing 2,000 square foot arena, round pen, and a 4,224 square foot barn with 4 stalls. It will accommodate approximately 4-8 open ranged horses and 4 boarded horses. The farm support quarters will consist of 762 square feet, will be built within the existing barn, and will not result in any disturbance. The proposed project is within the Agriculture land use category and is located at 3770 Geneseo Road approximately 4 miles east of the city of Paso Robles in the Salinas River planning area. This project is exempt under CEQA. **County File No: DRC2004-00214;** APN: 035-041-033; Supervisorial District: 1. Date Accepted: May 11, 2005. Josh LeBombard, Project Manager.

MINUTES:

Hearing Officer: Kim Murry

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through F in Exhibit A and subject to Conditions 1 through 10 in Exhibit B. (Document No. 2005-111)

7. This being the time set for hearing to consider a request by **ELLEN BECK** for a Minor Use Permit to allow modification of the limitation on the size of a secondary dwelling from 800 square feet to allow a 1,193 square foot secondary dwelling with attached 260 square foot garage. The proposed project is within the Residential Suburban land use category and is located at 298 Country Oak Way, approximately 1,300 feet north of Lopez Drive, approximately three miles east of the City of Arroyo Grande in the San Luis Bay (Inland) planning area. This project is exempt under CEQA. **County File No: DRC2004-00186.** APN: 047,182,067. Supervisorial District: 4. Date Accepted: April 8, 2005. Stephanie Fuhs, Project Manager.

MINUTES:

Hearing Officer: Kim Murry

Others: Gerald Beck, owner.

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 13 in Exhibit B. (Document No. 2005-112)

8. This being the time set for hearing to consider a request by **NEAL O'HAGAN** for a Minor Use Permit to allow modification of the limitation on the size of a secondary dwelling from 800 square feet to allow a 1,194 square foot secondary dwelling with attached 1,574 square foot garage. The proposed project is within the Residential Suburban land use category and is located at 1597 Vista Grande Lane, approximately 470 feet west of Old Oak Park Road, approximately ½ mile north of the City of Arroyo Grande, in the San Luis Bay (Inland) planning area. This project is exempt under

CEQA. **County File No: DRC2004-00085.** APN: 044,353,020. Supervisorial District: 4. Date Accepted: May 6, 2005. Stephanie Fuhs, Project Manager. (RECOMMENDATION: Approve)

MINUTES:

Hearing Officer: Kim Murry

Others: Neal & Leila O'Hagan, owners.

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through H in Exhibit A and subject to Conditions 1 through 13 in Exhibit B. (Document No. 2005-113)

9. This being the time set for hearing to consider a request by **THOMAS RALPH** for a Minor Use Permit to allow modification of the limitation on the size of a secondary dwelling from 800 square feet to allow a 1,200 square foot secondary dwelling with attached 600 square foot garage. The proposed project is within the Residential Suburban land use category and is located at 1381 Old Oak Park Road, approximately 360 feet south of the Old Oak Park Road/Vetter Road intersection, approximately one mile north of the City of Arroyo Grande in the South County (Inland) planning area. This project is exempt under CEQA. **County File No: DRC2004-00203.** APN: 044,368,005. Supervisorial District: 4. Date Accepted: April 20, 2005. Stephanie Fuhs, Project Manager

MINUTES:

Hearing Officer: Kim Murry

Others: Kent Hunstad, agent.

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 12 in Exhibit B. (Document No. 2005-114)

10. This being the time set for hearing to consider a request by **DENNIS SPILLER** for a Minor Use Permit to allow an existing 700 square foot pre-1976 mobile home as a secondary dwelling located within 250 feet of the primary residence on the site. Additionally, the applicant is requesting a waiver of the exterior design standards required by Section 22.30.450(E) of the county code for siding, roof material and roof overhangs. No site disturbance is proposed as part of the project. The proposed project is within the Residential Rural land use category and is located at 421 Stanton Street, approximately 3 miles north of the community of Nipomo in the South County (Inland) planning area. This project is exempt under CEQA. **County File No: DRC2004-00193.** APN: 091,063,022. Supervisorial District: 4. Date Accepted: April 13, 2005. Stephanie Fuhs, Project Manager.

MINUTES:

Hearing Officer: Kim Murry

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 12 in Exhibit B. (Document No. 2005-115)

11. This being the time set for hearing to consider a request by **WEST BAY COMPANY, LLC**, for a Minor Use Permit to allow a 1,300 square foot pre-1976 mobile home as a farm support quarters unit. Additionally, the applicant is requesting a waiver of the exterior design standards required by Section 22.30.450(E) of the county code for siding, roof material and roof overhangs. No site disturbance is proposed as part of the project. The proposed project is within the Agriculture land use category and is located at 1221 Bob Woods Place, approximately 10 miles east of Highway 101 via the Betteravia Road exit, east of the City of Santa Maria in the South County (Inland) planning area. This project is exempt under CEQA. **County File No: DRC2004-00209.** APN: 090,431,010. Supervisorial District: 4. Date Accepted: April 29, 2005. Stephanie Fuhs, Project Manager.

MINUTES:

Hearing Officer: Kim Murry

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 12 in Exhibit B. (Document No. 2005-116)

12. This being the time set for hearing to consider a request by **ALEX VILICANA** for a Minor Use Permit to allow the demolition and replacement of an existing barn and attached guesthouse. The applicant is requesting a waiver of the requirement that a guesthouse be located within 50 feet of the primary dwelling, and is proposing to place the guesthouse approximately 100 feet from the primary residence. The proposed project is within the Rural Lands land use category and is located at 2735 Adelaida Road approximately two miles west of the city of Paso Robles in the Adelaida planning area. This project is exempt under CEQA. **County File No: DRC2004-00098.** APN:026-231-043. Supervisorial District: 1. Date Accepted: December 8, 2004. Nick Forester, Project Manager.

MINUTES:

Hearing Officer: Kim Murry

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 10 in Exhibit B. (Document No. 2005-117)

HEARING ITEMS:

13. This being the time set for hearing to consider a request by **JIMMIE AND KATHY HOWELL** for a Minor Use Permit to allow modification of the limitation on the maximum distance requirement of a secondary dwelling from a primary dwelling from 250 feet to approximately 310 feet to allow a 1,200 square foot secondary dwelling, 400 square foot laundry and storage area and attached 575 square foot garage. The proposed project is within the Residential Suburban land use category and is located at 1331 Via Mar Sol, approximately 215 feet west of Erhart Road, approximately ½ mile north of the City of Arroyo Grande in the San Luis Bay (Inland) planning area. This project is found to be statutorily exempt from the California Environmental Quality Act under the provisions of Public Resources Code section 21080(b)(5), and Guidelines Section 15042, which provides that CEQA does not apply to projects that a public agency rejects or disapproves. **County File No: DRC2004-00235.** APN: 044,531,005. Supervisorial District: 4. Date Accepted: June 1, 2005. Stephanie Fuhs, Project Manager

MINUTES:

Hearing Officer: Kim Murry

Others: Jimmie & Kathy Howell, applicants.

Stephanie Fuhs, staff, presents project. States that an environmental review was not performed for this project. States mitigated measures would probably be placed on the new project recommendation. Discusses possible site disturbance issues.

Jim Howell, applicant, presents site plan for review. Discusses location of project in relation to existing road, and discusses culvert and water drainage issues. Explains a solar study was previously performed. States the proposed secondary unit will be concrete and will be placed on a raised foundation versus a cement slab. States he is trying to keep the natural habitat in tact, and has deliberately put the road in to avoid damaging any trees. Discusses the proposed project site on an aerial map. States he would eventually like to install an avocado crop on the property. Discusses the oak trees. States he has already put in many avocado trees on the alternate site where staff is recommending the secondary unit be placed.

Applicant states the unit will not be visible in the location he is proposing. Discusses additional height of the proposed house due to solar installation being on the roof.

Hearing Officer discusses whether there might be other possible locations for placement of the secondary unit. There is discussion of the vegetation and reasons why the applicant wishes to place the house on the proposed location. Explains the requirements that are in place for non-removal of trees and natural vegetation. Asks about any neighbor complaints, to which Ms. Fuhs replies there are none. Explains to the applicant the possibility of further appeal to the Board of Supervisors should they disagree with today's actions.

There is general discussion of alternate sites for the proposed project, and of future plans to include bee keeping on the property. Stephanie Fuhs, staff, states the environmental review would address mitigation measures to protect the natural vegetation state.

Thereafter, on motion of the hearing officer, the Minor Use Permit is denied based on Findings A through D in Exhibit A.

14. This being the time set for hearing to consider request by **ROBERT RUIZ** for a Lot Line Adjustment to adjust the lot lines between two parcels of 27.4 and 1.4 acres each. The adjustment will result in two parcels of 26.24 and 2.56 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Agriculture land use category and is located at 325 Mehlschau Road, approximately ½ mile north of the community of Nipomo, in the South County (Inland) planning area. This project is exempt under CEQA. **COUNTY FILE NO. SUB2003-00323/COAL04-0350**. APN: 090-051-021, -049. Supervisorial District #4. Date Application Accepted: January 28, 2005. Brian Pedrotti, Project Manager.

MINUTES:

Hearing Officer: Kim Murry

Others: Robert Ruiz, applicant.

Brian Pedrotti, staff, presents project. Discusses existing property line. Discusses agricultural aspects of the property. States there are no problems with the Agriculture Department regarding the proposed project.

Robert Ruiz, applicant, explains he is requesting the lot line adjustment to clean-up the existing parcel lines so that development associated with the residence is located on a single property. Currently the well and septic systems are located on a separate property from the residence. States he is present to answer any questions.

Thereafter, on motion of the hearing officer, the Lot Line Adjustment is granted based on Findings A through D and subject to Conditions 1 through 10. (Document No. 2005-118)

15. This being the time set for hearing to consider a request by **CAROLYN SOMOGYI** for a Minor Use Permit to allow the conversion of an existing 3,200 square foot barn to a winery and to allow the construction of a 1,200 square foot tasting room. The project will result in the disturbance of approximately 5,400 square feet of an 18.5-acre parcel. The applicant is requesting permission to hold up to six special events per year with up to 80 attendees. The applicant is requesting a waiver of the 20 acre minimum site requirement for wineries with special events that special events and tasting be set back at least 200 feet from any property line. Applicant is proposing to place the tasting room approximately 40 feet from the front property line and to convert an existing barn, located approximately 30 feet from the front property line, to a winery. Applicant is requesting a waiver of the requirement that tasting rooms be located within 200 feet of the production facility,

proposing to locate the tasting room approximately 900 feet from the production facility. The proposed project is within the Agriculture land use category and is located at 8395 Green Valley Road, six miles west of the community of Templeton, in the Adelaida planning area. The Environmental Coordinator finds that the previously adopted Negative Declaration is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted. **County File No: DRC2004-00211.** APN: 014-271-029. Supervisorial District: 1. Date Accepted: June 1, 2005. Nick Forester, Project Manager.

MINUTES:

Hearing Officer: Warren Hoag

Hearing Officer presents project. States there has been a written request from Templeton Area Advisory Group to continue this item to enable them to consider and make comments on the project at their next meeting scheduled for July 21, 2005.

Thereafter, on motion of the hearing officer, the Minor Use Permit is continued to August 5, 2005. No action taken.

There being no further business to discuss, the hearing is adjourned.

Respectfully submitted,
Mary Velarde, Secretary
Planning Department Hearings